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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,716	06/18/2001	Masahiro Saito	HITA.0060	7953

7590 07/16/2002
REED SMITH HAZEL & THOMAS LLP
Suite 1400
3110 Fairview Park Drive
Falls Church, VA 22042

EXAMINER

COSTANZO, PATRICIA M

ART UNIT	PAPER NUMBER
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2811

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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09/881716

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

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Commissioner of Patents and Trademarks

The election of Embodiment I, Figures 1-9, without traverse, filed on 08/09/02, is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants did not include a list of all claims readable on Embodiment I. See 37 CFR 1.111. Since the above mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

Tom Thomas

TOM THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

DETAILED ACTION

Election/Restrictions

The reply filed on June 28, 2002 is not fully responsive to the prior Office Action because of the following omission(s).

As Applicant was advised in the Office Action dated June 3, 2002, should Applicant elect Group I claims to be examined, Applicant is advised that this application is further restricted because it contains product Claims 1 – 12 and 18 – 20 directed to the following patentably distinct species of the claimed invention:

Embodiment I of Figures 1 – 9, and

Embodiment II of Figures 10 - 12

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention. See 37 CFR 1.111.

As the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Conclusion

Any inquiry concerning this communication should be directed to Patricia Costanzo at 703 305-5675 on Monday – Friday from 8:00 A.M. – 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful Supervisory Primary Examiner Tom Thomas can be reached at 703 308 -2772.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist at 703 308-0956.

Art Unit: 2811

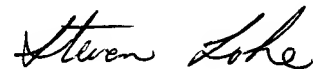
Using facsimile machines to transmit correspondence is encouraged.

Papers may be faxed directly to Examiner P. Costanzo at 703 746-8672.

The official Technical Center 2800 before-final FAX number is 703-872-9318 and the after-final FAX number is 703-872-9319. These FAX numbers will provide the FAX sender with an auto-reply verifying receipt of their FAX by the United States Patent and Trademark Office.

If there should be a problem while faxing to the Office, please contact Technical Center 2800 Customer Service at 703-306-3329.

pmc
July 11, 2002

A handwritten signature in cursive script, appearing to read "Steven Loh".